

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>In re: AbbVie, Inc. Product Liability Litigation Coordinated Pretrial Proceedings</b>	) ) )	<b>Case No. 14 C 1748</b>
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**Pretrial Order No. 1**

By order dated March 14, 2014, the Executive Committee of this Court transferred a number of product liability actions against AbbVie, Inc. concerning the drug AndroGel to the undersigned judge's docket for the purpose of conducting coordinated pretrial proceedings. Because of the need for coordination, the Court enters the following order:

**1. Applicability of order.** Pending further order by this Court, this order shall govern the practice and procedure in the actions that the Executive Committee transferred to this Court by its order dated August 7, 2012, a copy of which is accompanies this order as Attachment A. This Order also applies to additional actions similar to those listed in Attachment A that are hereafter transferred to this Court. The cases previously or hereafter transferred will be referred to in this order as the "Transferred Actions."

**2. Consolidation for pretrial purposes.** The Transferred Actions are consolidated for pretrial purposes. This does not constitute a determination that the actions should be consolidated for trial, and it does not have the effect of making anyone or any entity a party to any action in which he, she, or it has not been named as a party.

**3. Filing.** The Clerk is maintaining a master case file under the caption "In re AbbVie, Inc.," Case Number 1:14-cv-1748 (the "Master Case File"). All filings concerning any and all pretrial matters should be filed with the Clerk using that caption and case number. When a party intends that something it is filing apply to all of the consolidated actions, the party should indicate that by using the words "This Document Relates to All Cases" in or just after the case caption. When a party intends that something it is filing applies only to one or some of the consolidated actions, the party should indicate that by using the words "This Document Relates to [fill in case number(s)]" in or just after the case caption.

**4. Initial status conference.** As previously ordered, a telephone status conference concerning all of the Transferred Actions is set for April 4, 2014 at 8:45 a.m. Chicago time. Counsel are to cooperate in setting up a call-in number for the conference and are to provide it to Judge Kennelly's judicial assistant by no later than April 2, 2014.

**5. Initial status report.** By no later than April 1, 2014, a single, joint status report is to be filed in the Master Case File that includes the following information:

- For each case listed in Attachment A, the status of service of summons or waiver of summons, whether counsel has yet appeared for the defendant(s), and identification (including the docket entry number) of any motions that have not yet been ruled upon.

- A list of all cases not included in Attachment A pending in this District that include product liability claims concerning AndroGel, and for each such case, the case number, the name of the judge before whom it is currently pending, the status of service

of summons or waiver of summons, whether counsel has yet appeared for the defendant(s), and identification (including the docket entry number) of any motions that have not yet been ruled upon.

- The views of counsel on whether it is appropriate to designate lead and/or liaison counsel, an explanation of why or why not, if this is done how the designation should be determined, and what the responsibilities of lead and/or liaison counsel should be.

- The likelihood that any motions to dismiss or motions to transfer will be filed, and if so, a general summary of the likely grounds for such motions.

- Whether it is appropriate to enter a single, coordinated discovery and pretrial schedule.

- Any other topics that any counsel believes are appropriate for discussion.

SO ORDERED:



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MATTHEW F. KENNELLY  
United States District Judge

Date: March 18, 2014

Cases Included in Consolidated Pretrial Proceeding 14 CV 1748, *in re AbbVie, Inc., et al.*

Case Number	Case Title	Judge
14 CV 772	Aurecchia v. AbbVie, Inc. et al.	Kennelly
14 CV 777	Marino v. AbbVie, Inc. et al.	Darrah
14 CV 780	Myers v. AbbVie, Inc. et al.	Gettleman
14 CV 843	Cripe v. AbbVie, Inc. et al.	Coleman
14 CV 877	Johnson v. AbbVie, Inc. et al.	Wood
14 CV 879	Kelly, Dr v. AbbVie, Inc. et al.	Durkin
14 CV 917	Gibby, et al. v. AbbVie, Inc. et al.	Durkin
14 CV 918	Hardee, et al. v. AbbVie, Inc. et al.	Feinerman
14 CV 1298	Lau v. AbbVie, Inc. et al.	Ellis
14 CV 1427	Bartholic v. AbbVie, Inc. et al.	Kennelly
14 CV 1428	O'Donnell v. AbbVie, Inc. et al.	Der-Yeghiayan
14 CV 1471	Blades, et al. v. AbbVie, Inc. et al.	Lefkow
14 CV 1472	Carpenter, et al. v. AbbVie, Inc. et al.	Coleman
14 CV 1473	Humphries, et al. v. AbbVie, Inc. et al.	Bucklo
14 CV 1474	Dobbs v. AbbVie, Inc. et al.	Kendall
14 CV 1475	Headley v. AbbVie, Inc. et al.	Dow
14 CV 1476	Hughes, et al. v. AbbVie, Inc. et al.	Gottschall
14 CV 1477	Jackson, et al. v. AbbVie, Inc. et al.	Wood
14 CV 1478	Gordon v. AbbVie, Inc. et al.	Zagel
14 CV 1479	Jones, et al. v. AbbVie, Inc. et al.	Coleman
14 CV 1480	King, et al. v. AbbVie, Inc. et al.	Feinerman
14 CV 1481	Lewis, et al v. AbbVie, Inc. et al.	Feinerman
14 CV 1482	Saylor, et al v. AbbVie, Inc. et al.	Wood
14 CV 1483	Cataudella v. AbbVie, Inc. et al.	Gottschall
14 CV 1663	Bailey v. AbbVie, Inc. et al.	Darrah
14 CV 1665	Gordon v. AbbVie, Inc. et al.	Tharp
14 CV 1667	White v. AbbVie, Inc. et al.	Leinenweber
14 CV 1668	Montgomery v. AbbVie, Inc. et al.	Lefkow
14 CV 1670	Ortiz v. AbbVie, Inc. et al.	Kennelly
14 CV 1673	DeLeon v. AbbVie, Inc. et al.	Kennelly